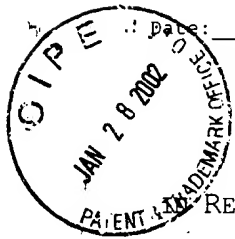


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:



Date: January 3, 2002

By: Lynn Anderson

#5  
#2/3/02  
**RECEIVED**  
FEB 08 2002  
TECH CENTER 1600/2900  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

RE APPLICATION OF:

Allen, et al.

SERIAL NO.: 09/876,707

FILED: June 7, 2001

FOR: THERAPEUTIC LIPOSOME COMPOSITION  
AND METHOD OF PREPARATION

EXAMINER: Kishore

ART UNIT: 1615

**Response Under 37 C.F.R. §1.111**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office action dated August 6, 2001 in the above-identified application, Applicants provide the following remarks.

**REMARKS**

Claims 21-32 and 57-81 are pending in the application. Claims 21-32 and 57-81 have been rejected. Reconsideration and withdrawal of the rejections in light of the following remarks are respectfully requested.

Applicants petition the Commissioner for a 2-month extension of time. A separate petition accompanies this amendment.

**I. Obviousness-Type Double Patenting Rejection**

Claims 71-81 were rejected under the judicially-created doctrine of obviousness-type double patenting as allegedly